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FITZPATRICK CELLA HARPER & SCINTO			SINGH, SATWANT K	
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2626

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Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 09/875,989	<b>Applicant(s)</b> NAITO ET AL.	
	<b>Examiner</b> Satwant K. Singh	<b>Art Unit</b> 2626	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 08 June 2001.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-73 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-73 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### ***Claim Rejections - 35 USC § 101***

1. Claim 73 is rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. The terminology "realized by a computer" alone has no set definition.

### ***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-10, 12-24, 26-38, 40-73 are rejected under 35 U.S.C. 102(e) as being anticipated by Toshikage et al. (US 2001/0016829).
4. Regarding Claim 1, Toshikage et al disclose a printing control device, comprising: generating means for generating a printing conditions setting screen from contents printout information listing information relating to contents (image data processor 161) (page 8, paragraph [0165]), and printout service information listing information relating to printing (printing selection panel 107) (page 9, paragraph [0180]); and display control means for performing control so as to display said printing conditions setting screen generated by said generating means (Fig. 16).

5. Regarding Claim 2, Toshikage et al disclose a printing control device, wherein said contents printout information contains at least information for determining contents (Fig. 11) (photographic image data for display) (page 8, paragraph [0164]).

6. Regarding Claim 3, Toshikage et al disclose a printing control device, wherein said information for determining contents comprises a path or a URL (transmit film data D15 to a desired remote site via the internet) (page 12, paragraph [0224]).

7. Regarding Claim 4, Toshikage et al disclose a printing control device, wherein said printout service information contains at least one of printing destination, sheet size, and number of copies to be printed (image processor 197 sends the photographic image data form printing D11, together with the printing condition data D12 including the printing number and the print size, vial the microprocessor 195 and interface3 200 to the printer 103) (page 11, paragraph [0210]).

8. Regarding Claim 5, Toshikage et al disclose a printing control device, wherein said contents printout information is obtained from a contents provider (reception shop personal computer 227 reads out the corresponding film data D15 from the reception shop server 229) (pages 12-13, paragraph [0237]).

9. Regarding Claim 6, Toshikage et al disclose a printing control device, wherein said printout service information is obtained from a printout service provider (delivery shop personal computer 228 reads out the film data D15 from the delivery shop server and forwards the read film data D15 to a photographic image printing machine) (page 13, paragraph [(0241)]).

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10. Regarding Claim 7, Toshikage et al disclose a printing control device, further comprising confirmation screen generating means for generating a printing conditions confirmation screen, in the event that printing conditions are set by said printing conditions setting screen (Fig. 21) (after the photographic image 183 and the selected image 190 are displayed on the monitor 102 at step SP3 of FIG. 18, a printing condition confirmation image 203 is displayed on the monitor 102, on the basis of the printing condition confirmation image data D10, as shown in FIG. 21) (page 11, paragraph [210]).

11. Regarding Claim 8, Toshikage et al disclose a printing control device, further comprising: judging means for judging reception of an order in the event that printing conditions are confirmed by said printing conditions confirmation screen (in the delivery photograph shop 222, the delivery shop personal computer 228 reads out the index data D16); and means for creating and transmitting an order reception notification in the event that said judging means judge that an order has been received (in the delivery photograph shop 222, the photograph shop receipt user is notified on the monitor screen of the personal computer 232 that the print photograph shops have been forwarded to the address of the photograph shop receipt user, and can visually confirm the print photograph shops which are forwarded by displaying the index image on the monitor screen) (page 13, paragraphs [239] and [240]).

12. Regarding Claim 9, Toshikage et al disclose a printing control device, further comprising printing control means for obtaining contents based on said order in the event that said judging means judge that an order has been received, and performing

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control so as to print said contents (the delivery shop personal computer 228 reads out the film data D15 from the delivery shop server 231, and forwards the read film data D15 to a photographic image printing machine (referred to as a delivery shop photographic image printing machine) 100B) (page 13, paragraph [241]).

13. Regarding Claim 10, Toshikage et al disclose a printing control device, further comprising transmitting means for obtaining contents based on said order in the event that said judging means judge that an order has been received, and issuing a printing request so as to print said contents (the delivery shop personal computer 228 reads out the film data D15 from the delivery shop server 231, and forwards the read film data D15 to a photographic image printing machine (referred to as a delivery shop photographic image printing machine) 100B) (page 13, paragraph [241]).

14. Regarding Claim 12, Toshikage et al disclose a printing control device, comprising: receiving means for receiving order information for printing by a printing order button, for calling up a printout service provider at the side of a contents provider, being instructed (Fig. 54, CONFIRMED button) (photo printing order confirmation screen 573) (page 41, paragraph [622]); and printing control means for performing control so as to print contents according to order information received by said receiving means (receiving this information, photograph shop 507/508 generates the index data on the basis of the film data D15 on the personal computer 570) (page 41, paragraph [623]).

15. Regarding Claim 13, Toshikage et al disclose a printing control device, wherein said printing order button stores a path or URL of a printout service provider and also

information for determining contents, in a correlated manner (The home server 552 of the user's satellite broadcasting receiver 550, when the above-described photo printing order confirmation screen 573 shown in FIG. 54 is displayed on the monitor 565, can confirm the photo picture printing condition and specify a purchase of the index data configured by each photo picture displayed as a thumb nail and can communicate the specification of the purchase of the index data together with the order confirmation termination data D169 to the photograph shops 507 and 508) (page 41, paragraph [0622]).

16. Regarding Claim 14, Toshikage et al disclose a printing control device, wherein said receiving means receives at least information for determining contents, by instruction of said printing order button (receiving this information, photograph shop 507/508 generates the index data on the basis of the film data D15 on the personal computer 570) (page 41, paragraph [623]).

17. Claims 15 and 29 are rejected for the same reason as Claim 1.

18. Claims 16 and 30 are rejected for the same reason as Claim 2

19. Claims 17 and 31 are rejected for the same reason as Claim 3.

20. Claims 18 and 32 are rejected for the same reason as Claim 4.

21. Claims 19 and 33 are rejected for the same reason as Claim 5.

22. Claims 20 and 34 are rejected for the same reason as Claim 6.

23. Claims 21 and 35 are rejected for the same reason as Claim 7.

24. Claims 22 and 36 are rejected for the same reason as Claim 8.

25. Claims 23 and 37 are rejected for the same reason as Claim 9.

26. Claims 24 and 38 are rejected for the same reason as Claim 10.
27. Claims 26 and 40 are rejected for the same reason as Claim 12.
28. Claims 27 and 41 are rejected for the same reason as Claim 13.
29. Claims 28 and 42 are rejected for the same reason as Claim 14.
30. Regarding Claim 43, Toshikage et al disclose a printing control device, wherein a contents providing device for providing contents and a printing control device for controlling printing of contents are connected via a network, said system comprising: viewing screen providing means for providing a contents viewing screen (monitor 102); generating means for generating a printing settings screen from contents printout information obtained from a contents providing device (photographic image 183 of predetermined size or an enlarged photographic image 201, along with the printing type 184, the frame number 185 and a title message 202 are displayed on the monitor 102, on the basis of the photographic image data for display D8, as shown in FIGS. 20A to 20C) ) (page 11, paragraph [0210]) and printout service information obtained from a printing control device, in the event that a printing order instruction has been given from a contents viewing screen provided by said viewing screen providing means (after the photographic image 183 and the selected image 190 are displayed on the monitor 102 at step SP3 of FIG. 18, a printing condition confirmation image 203 is displayed on the monitor 102, on the basis of the printing condition confirmation image data D10, as shown in FIG. 21) (page 11, paragraph [0209]); and printing settings screen providing means for providing users with printing settings screens generated by said generating means (this printing condition confirmation image 203 is displayed with the photographic



images 183 amounting to one APS negative film 1A as the thumb-nail image, and the print photograph shop size 187 and the printing number 188 are displayed below the thumb-nail image) (page 11, paragraphs [0209] and [0210]).

31. Regarding Claim 44, Toshikage et al disclose a printing control device, wherein said contents providing device comprises said viewing screen providing means and said generating means (after the photographic image 183 and the selected image 190 are displayed on the monitor 102 at step SP3 of FIG. 18, a printing condition confirmation image 203 is displayed on the monitor 102, on the basis of the printing condition confirmation image data D10, as shown in FIG. 21) (page 11, paragraph [0210]).

32. Regarding Claim 45, Toshikage et al disclose a printing control device, wherein said printing control device comprises said generating means (this printing condition confirmation image 203 is displayed with the photographic images 183 amounting to one APS negative film 1A as the thumb-nail image, and the print photograph shop size 187 and the printing number 188 are displayed below the thumb-nail image) (page 11, paragraphs [0209] and [0210]).

33. Regarding Claim 46, Toshikage et al disclose a printing control device, further comprising printing control means for obtaining contents from said contents providing device following said printing control means receiving a printing order, and for generating printing data (the image processor 197 sends the photographic image data for printing D11, together with the printing condition data D12 including the printing number and the print size, via the microprocessor 195 and the interface 200 to the printer 103 (FIG. 11)) (page 11, paragraph [212]).

34. Regarding Claim 47, Toshikage et al disclose a printing control device, wherein said contents printout information contains at least information for determining contents (the image processor 197 sends the photographic image data for printing D11, together with the printing condition data D12 including the printing number and the print size, via the microprocessor 195 and the interface 200 to the printer 103 (FIG. 11)) (page 11, paragraph [212]).

35. Regarding Claim 48, Toshikage et al disclose a printing control device, wherein said information for determining contents comprises a path or a URL (transmit film data D15 to a desired remote site via the internet) (page 12, paragraph [0224]).

36. Regarding Claim 49, Toshikage et al disclose a printing control device, wherein said printout service information contains at least one of printing destination, sheet size, and number of copies to be printed (the image processor 197 sends the photographic image data for printing D11, together with the printing condition data D12 including the printing number and the print size, via the microprocessor 195 and the interface 200 to the printer 103 (FIG. 11)) (page 11, paragraph [212]).

37. Regarding Claim 50, Toshikage et al disclose a printing control device, wherein a contents providing device for providing contents and a printing control device for controlling printing of contents are connected via a network, said contents providing device comprising: viewing screen generating means for generating a contents viewing screen (monitor 102); settings screen generating means for generating a printout conditions settings screen from contents printout information and printout service information received from said printing control means (photographic image 183 of

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predetermined size or an enlarged photographic image 201, along with the printing type 184, the frame number 185 and a title message 202 are displayed on the monitor 102, on the basis of the photographic image data for display D8, as shown in FIGS. 20A to 20C) (page 11, paragraph [0210]); confirmation screen generating means for generating a confirmation screen for said printout conditions settings (after the photographic image 183 and the selected image 190 are displayed on the monitor 102 at step SP3 of FIG. 18, a printing condition confirmation image 203 is displayed on the monitor 102, on the basis of the printing condition confirmation image data D10, as shown in FIG. 21) (page 11, paragraph [0209]); and transmitting means for transmitting contents selected from said viewing screen to said printing control device (image processor 197 sends the photographic image data for printing D11) (page 11, paragraph [0212]); and said printing control device comprising: transmitting means for transmitting printout service information to said contents providing device (the reception shop personal computer 227 reads out the corresponding film data D15 from the reception shop server 229, and sends the read film data D15 via the reception shop side service provider 223, the Internet 225 and the delivery shop side service provider 224 to the delivery photograph shop 222) (page 13, paragraph [0237]); and printing data generating means for generating printing data from contents provided by said contents providing device (in the delivery photograph shop 222, the delivery shop personal computer 228 reads out the film data D15 from the delivery shop server 231, and forwards the read film data D15 to a photographic image printing machine (referred to as a delivery shop photographic image printing machine) 100B) (page 13, paragraph [0241]).

38. Regarding Claim 51, Toshikage et al disclose a printing control device, wherein said contents printout information contains at least information for determining contents (the image processor 197 sends the photographic image data for printing D11, together with the printing condition data D12 including the printing number and the print size, via the microprocessor 195 and the interface 200 to the printer 103 (FIG. 11)) (page 11, paragraph [212]).

39. Regarding Claim 52, Toshikage et al disclose a printing control device, wherein said information for determining contents comprises a path or a URL (transmit film data D15 to a desired remote site via the internet) (page 12, paragraph [0224]).

40. Regarding Claim 53, Toshikage et al disclose a printing control device, wherein said printout service information contains at least one of printing destination, sheet size, and number of copies to be printed (the image processor 197 sends the photographic image data for printing D11, together with the printing condition data D12 including the printing number and the print size, via the microprocessor 195 and the interface 200 to the printer 103 (FIG. 11)) (page 11, paragraph [212]).

41. Regarding Claim 54, Toshikage et al disclose a printing control device, wherein a contents providing device for providing contents and a printing control device for controlling printing of contents are connected via a network, said contents providing device comprising: viewing screen generating means for generating a contents viewing screen (monitor 102); and transmitting means for transmitting contents selected from said viewing screen to said printing control device (the image processor 197 sends the photographic image data for printing D11, together with the printing condition data D12

including the printing number and the print size, via the microprocessor 195 and the interface 200 to the printer 103 (FIG. 11)) (page 11, paragraph [212]); and said printing control device comprising: settings screen generating means for generating a printout conditions settings screen from printout service information and contents printout information received from said contents providing device (the personal computer 232 of the purchasing demand user displays the index image based on the received index data D16 on the monitor screen, thereby enabling a desired image to be selected and designated from among the photographic images to be sold displayed in thumbnail) (page 13, paragraph [0249]); confirmation screen generating means for generating a confirmation screen for said printout conditions settings the personal computer 232 of the purchasing demand user displays the index image based on the received index data D16 on the monitor screen, thereby enabling a desired image to be selected and designated from among the photographic images to be sold displayed in thumbnail) (page 13, paragraph [0249]); and printing data generating means for generating printing data from contents provided by said contents providing device (in the delivery photograph shop 222, the delivery shop personal computer 228 reads out the film data D15 from the delivery shop server 231, and forwards the read film data D15 to a photographic image printing machine (referred to as a delivery shop photographic image printing machine) 100B) (page 13, paragraph [0241]).

42. Regarding Claim 55, Toshikage et al disclose a printing control device, wherein said contents printout information contains at least information for determining contents the image processor 197 sends the photographic image data for printing D11, together

with the printing condition data D12 including the printing number and the print size, via the microprocessor 195 and the interface 200 to the printer 103 (FIG. 11)) (page 11, paragraph [212]).

43. Regarding Claim 56, Toshikage et al disclose a printing control device, wherein said information for determining contents comprises a path or a URL (transmit film data D15 to a desired remote site via the internet) (page 12, paragraph [0224]).

44. Regarding Claim 57, Toshikage et al disclose a printing control device, wherein said printout service information contains at least one of printing destination, sheet size, and number of copies to be printed (the image processor 197 sends the photographic image data for printing D11, together with the printing condition data D12 including the printing number and the print size, via the microprocessor 195 and the interface 200 to the printer 103 (FIG. 11)) (page 11, paragraph [212]).

45. Regarding Claim 58, Toshikage et al disclose a printing control device, wherein a contents providing device for providing contents a printing control device for controlling printing of contents, and a printing device for performing printing, are connected via a network, said system comprising: viewing screen providing means for providing a contents viewing screen (monitor 102); and generating means for generating a printing settings screen from contents printout information obtained from a contents providing device photographic image 183 of predetermined size or an enlarged photographic image 201, along with the printing type 184, the frame number 185 and a title message 202 are displayed on the monitor 102, on the basis of the photographic image data for display D8, as shown in FIGS. 20A to 20C) ) (page 11, paragraph [0210]) and printout

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service information obtained from a printing control device, in the event that a printing order instruction has been given from a contents viewing screen provided by said viewing screen providing means after the photographic image 183 and the selected image 190 are displayed on the monitor 102 at step SP3 of FIG. 18, a printing condition confirmation image 203 is displayed on the monitor 102, on the basis of the printing condition confirmation image data D10, as shown in FIG. 21) (page 11, paragraph [0209]); and printing settings screen providing means for providing users with printing settings screens generated by said generating means (this printing condition confirmation image 203 is displayed with the photographic images 183 amounting to one APS negative film 1A as the thumb-nail image, and the print photograph shop size 187 and the printing number 188 are displayed below the thumb-nail image) (page 11, paragraphs [0209] and [0210]); wherein said printing device makes a printing request based on said printing order to said printing device following reception of a printing order (the reception shop personal computer 227 reads out the corresponding film data D15 from the reception shop server 229, and sends the read film data D15 via the reception shop side service provider 223, the Internet 225 and the delivery shop side service provider 224 to the delivery photograph shop 222) (page 12, paragraph [0237]); and wherein said printing device obtains contents from said contents providing device and performs printing, based on said printing request (the delivery shop personal computer 228 reads out the film data D15 from the delivery shop server 231, and forwards the read film data D15 to a photographic image printing machine (referred to

as a delivery shop photographic image printing machine) 100B) (page 13, paragraph [0241]).

46. Regarding Claim 59, Toshikage et al disclose a printing control device, wherein said contents providing device comprises said viewing screen providing means and said generating means (after the photographic image 183 and the selected image 190 are displayed on the monitor 102 at step SP3 of FIG. 18, a printing condition confirmation image 203 is displayed on the monitor 102, on the basis of the printing condition confirmation image data D10, as shown in FIG. 21) (page 11, paragraph [0210]).

47. Regarding Claim 60, Toshikage et al disclose a printing control device, wherein said printing control device comprises said generating means this printing condition confirmation image 203 is displayed with the photographic images 183 amounting to one APS negative film 1A as the thumb-nail image, and the print photograph shop size 187 and the printing number 188 are displayed below the thumb-nail image) (page 11, paragraphs [0209] and [0210]).

48. Regarding Claim 61, Toshikage et al disclose a printing control device, further comprising printing control means for obtaining contents from said contents providing device following said printing control means receiving a printing order, and for generating printing data (the image processor 197 sends the photographic image data for printing D11, together with the printing condition data D12 including the printing number and the print size, via the microprocessor 195 and the interface 200 to the printer 103 (FIG. 11)) (page 11, paragraph [212]).



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49. Regarding Claim 62, Toshikage et al disclose a printing control device, wherein said contents printout information contains at least information for determining contents (the image processor 197 sends the photographic image data for printing D11, together with the printing condition data D12 including the printing number and the print size, via the microprocessor 195 and the interface 200 to the printer 103 (FIG. 11)) (page 11, paragraph [212]).

50. Regarding Claim 63, Toshikage et al disclose a printing control device, wherein said information for determining contents comprises a path or a URL (transmit film data D15 to a desired remote site via the internet) (page 12, paragraph [0224]).

51. Regarding Claim 64, Toshikage et al disclose a printing control device, wherein said printout service information contains at least one of printing destination, sheet size, and number of copies to be printed (the image processor 197 sends the photographic image data for printing D11, together with the printing condition data D12 including the printing number and the print size, via the microprocessor 195 and the interface 200 to the printer 103 (FIG. 11)) (page 11, paragraph [212]).

52. Regarding Claim 65, Toshikage et al disclose a printing control device, wherein a contents providing device for providing contents a printing control device for controlling printing of contents, and a printing device for performing printing, are connected via a network; said contents providing device comprising: viewing screen generating means for generating a contents viewing screen (monitor 102); settings screen generating means for generating a printout conditions settings screen from contents printout information and printout service information and received from said printing control

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device (photographic image 183 of predetermined size or an enlarged photographic image 201, along with the printing type 184, the frame number 185 and a title message 202 are displayed on the monitor 102, on the basis of the photographic image data for display D8, as shown in FIGS. 20A to 20C) (page 11, paragraph [0210]); confirmation screen generating means for generating a confirmation screen for said printout conditions settings (after the photographic image 183 and the selected image 190 are displayed on the monitor 102 at step SP3 of FIG. 18, a printing condition confirmation image 203 is displayed on the monitor 102, on the basis of the printing condition confirmation image data D10, as shown in FIG. 21) (page 11, paragraph [0209]); and transmitting means for transmitting contents selected from said viewing screen to said printing device (image processor 197 sends the photographic image data for printing D11) (page 11, paragraph [0212]); and said printing control device comprising: transmitting means for transmitting printout service information to said contents providing device (the reception shop personal computer 227 reads out the corresponding film data D15 from the reception shop server 229, and sends the read film data D15 via the reception shop side service provider 223, the Internet 225 and the delivery shop side service provider 224 to the delivery photograph shop 222) (page 13, paragraph [0237]); and issuing means for issuing a printing request based on said printing order to said printing device, following reception of a printing order (the photograph shop receipt user is notified on the monitor screen of the personal computer 232 that the print photograph shops have been forwarded to the address of the photograph shop receipt user, and can visually confirm the print photograph shops

which are forwarded by displaying the index image on the monitor screen) (page 13, paragraph [240]); wherein said printing device obtains contents from said contents providing device and performs printing, based on said printing request (in the delivery photograph shop 222, the delivery shop personal computer 228 reads out the film data D15 from the delivery shop server 231, and forwards the read film data D15 to a photographic image printing machine (referred to as a delivery shop photographic image printing machine) 100B) (page 13, paragraph [0241]).

53. Regarding Claim 66, Toshikage et al disclose a printing control device, wherein said contents printout information contains at least information for determining contents (the image processor 197 sends the photographic image data for printing D11, together with the printing condition data D12 including the printing number and the print size, via the microprocessor 195 and the interface 200 to the printer 103 (FIG. 11)) (page 11, paragraph [212]).

54. Regarding Claim 67, Toshikage et al disclose a printing control device, wherein said information for determining contents comprises a path or a URL (transmit film data D15 to a desired remote site via the internet) (page 12, paragraph [0224]).

55. Regarding Claim 68, Toshikage et al disclose a printing control device, wherein said printout service information contains at least one of printing destination, sheet size, and number of copies to be printed the image processor 197 sends the photographic image data for printing D11, together with the printing condition data D12 including the printing number and the print size, via the microprocessor 195 and the interface 200 to the printer 103 (FIG. 11)) (page 11, paragraph [212]).

- 56. Claim 69 is rejected for the same reason as Claim 65.
- 57. Claim 70 is rejected for the same reason as Claim 66.
- 58. Claim 71 is rejected for the same reason as Claim 67.
- 59. Claim 72 is rejected for the same reason as Claim 68.
- 60. Regarding Claim 73, Toshikage et al disclose a printing control device, whereby the printing control method according to any one of the claims 15 through 28 is realized by computer (personal computer 404, 406).

***Claim Rejections - 35 USC § 103***

- 61. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

- 62. Claims 11, 25, and 39 are rejected under 35 U.S.C. 103(a) as being unpatentable over Toshikage et al in view of Tanaka (US 6,417,913).
- 63. Regarding Claim 11, Toshikage et al fail to teach a printing control device, wherein said printing request is made to a print server.

Tanaka teaches a printing control device, wherein said printing request is made to a print server (prints serve, which is made up of the computer 620 and printer 630) (col. 15, lines 33-43).

Therefore, it would have been obvious to one of ordinary skill in the art to have combined the teachings of Toshikage with the teaching of Tanaka to use a print server to store the image data so the image can be reconstructed to the original file structure.

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64. Claims 25 and 39 are rejected for the same reason as Claim 11.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Satwant K. Singh whose telephone number is (703) 306-3430. The examiner can normally be reached on Monday thru Friday 8am - 4:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kimberly A. Williams can be reached on (703) 305-4863. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



sks

Satwant K. Singh  
Examiner  
Art Unit 2626



**KIMBERLY WILLIAMS**  
**SUPERVISORY PATENT EXAMINER**